

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRIAN PRESKI,

Petitioner,

v.

JOSH SHAPIRO, *et al.*,

Respondents.

CIVIL ACTION NO. 3:19-CV-00288

(JUDGE CAPUTO)

(MAGISTRATE JUDGE  
CARLSON)

**ORDER**

**NOW**, this 21st day of January, 2020, upon consideration of Petitioner Brian Preski's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. §2254 (Doc. 1), the Report and Recommendation ("R&R") of Magistrate Judge Carlson (Doc. 14), and Petitioner's Objections to the R&R (Doc. 15), **IT IS HEREBY ORDERED** that:

- (1) The R&R of Magistrate Judge Carlson is **APPROVED** and **ADOPTED** as supplemented;
- (2) Petitioner Brian Preski's Petition for a Writ of Habeas Corpus is **DISMISSED**;
- (3) Since Petitioner Brian Preski has failed to make "a substantial showing of the denial of a constitutional right," a certificate of appealability **SHALL NOT** issue.
- (4) The Clerk of Court is directed to **CLOSE** this case.

/s/ A. Richard Caputo \_\_\_\_\_  
A. Richard Caputo  
United States District Judge